



DEPARTMENT OF BUILDING INSPECTION

**City & County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414**

ACCESS APPEALS COMMISSION

MINUTES

Regular Meeting

Wednesday, October 12, 2005

Room 416, City Hall

1. CALL TO ORDER AND ROLL CALL

President Lim called the meeting of the Access Appeals Commission to order at 1:05 P.M.

COMMISSION MEMBERS PRESENT: Ms. Enid Lim, President
Vice-President - Vacant
Ms. Roslyn Baltimore
Ms. Alyce G. Brown
Mr. Arnie Lerner

COMMISSION MEMBERS ABSENT: None

CITY REPRESENTATIVES: Ms. Judy Boyajian, Deputy City Attorney
Mr. Rafael Torres-Gil, Secretary
Ms. Doris M. Levine, Reporter
Ms. Susan Pangilinan

2. PUBLIC COMMENT:

None

3. APPROVAL OF MINUTES:

The minutes of September 14th were reviewed. Commissioner Baltimore provided Mr. Torres-Gil with written notes of her changes to the minutes. The minutes as corrected were approved.

4. REVIEW OF COMMUNICATION ITEMS:

Mr. Torres-Gil noted the distribution of several items: Amendments to the building code dated July 1, 2005, AAC Officer chronology for 2000-2005, documents distributed by the appellant for Appeal 05-05 dated Oct 12, 2005.

5. ELECTION OF OFFICERS:

Continued until after item 6 of the Agenda.

Access Appeals Commission Hearing: October 12, 2005**6. NEW APPEAL: Appeals 05-05, 235-43 O'Farrell Street**

Mr. Torres-Gil presented the Summary of the appeal.

Gary Samonsky, Architect, presented his appeal.

Commissioner Baltimore inquired of the cost estimates from the elevator company and Cahill Contractors, and the date when Byron Yan inspected the elevator and maneuvered in the elevator.

Mr. Samonsky outlined Mr. Yan 's inspection of the elevator.

Commissioner Baltimore, Commissioner Brown, Commissioner Lerner and Mr. Samonsky discussed various aspects of the cost estimates associated with elevator renovations, accessibility upgrades and the building/ UMB remodel.

Commissioner Lerner inquired about the location of the 10 inch by 10 inch mirror and its use by Mr. Yan

Mr. Samonsky indicated that he thought Mr. Yan did not use it but that he recognized the need for upgrades to make a more usable elevator.

Commissioner Baltimore asked about the historical character of the building and the lobby. What proportion of the lobby would be removed and what historical nature of the lobby would be altered.

Mr. Samonsky identified the scope of possible modifications to the lobby.

Commissioner Brown asked what the difference was between a historically significant building and one that is on the historical list.

Mr. Samonsky said that it was not on the Landmark list but that it was historically significant within a conservation district of the city having character that is to be retained.

Commissioner Lerner indicated that under the Planning Code it was a Category 1 building, which makes it a qualified historic building.

Mr. Samonsky said that when they had their planning review for the remodel the façade modifications were reviewed. They are putting in new concrete frames and they are trying to put back a sympathetic exterior facade. That section had been remodeled before and was not original that they would be concerned about. They were very concerned that from the main cornice line up it not be modified in any way. They were less concerned about the Johnny Foley storefront, which was installed, in the eighties. The lobby has not been changed much at all. The restaurant is also pretty much intact, ceiling and cornices, except for the entries and storefront.

Mr. Torres-Gil outlined the distinctions between the different elevator interior dimensions stated in the code, Administrative Bulletin and Article 15/ residential elevators.

Commissioner Lerner made reference to the ADDAG/ADA minimum interior dimension for an existing elevators of 48" by 48" which applies to qualified historic buildings.

Mr. Torres-Gil indicated that there would be almost no increase in occupant load in the building.

Commissioner Lerner made a motion to accept the appeal request.

Access Appeals Commission Hearing: October 12, 2005

Commissioner Baltimore seconded the motion and added that it be based on the historical code with physical constraints.

Commissioner Lerner said that in terms of economic hardships, he was not convinced that given the cost of \$5.2 million for the remodel that the cost of \$400,000 for full accessibility is a hardship. What he is convinced about is that this is a Category 1 building and modification of the lobby would have a negative impact to the building coupled with the fact that there is the letter from the ILRC saying the use of the elevator is feasible, which is the minimum standard that the Administrative Bulletin requires, and that there are other standards that the elevator would fit into. Based on his own experience with elevator and friends with wheelchairs, this elevator might be usable. **He would add to acceptance that they install a mirror that is bigger than 10” by 10” at the back wall. He accepts the physical constraints.**

Vote on the motion by Commissioner Lerner:

Commissioner Baltimore	Aye
Commissioner Lerner	Aye
Commissioner Brown	Yes
President Lim	Aye

The motion passed on a vote of 4-0.

5. ELECTION OF OFFICERS:

Commissioner Baltimore asked Ms Boyajian that given that the annual election is next month, is it possible to combine the two elections.

Ms Boyajian said that the vacancy must be filled quickly.

Commissioner Baltimore, after referencing the chart of past officer appointments, nominated Commissioner Lerner to take the position of Vice President of the Commission.

President Lim seconded the nomination.

Vote on the nomination by Commissioner Baltimore:

Commissioner Baltimore	Aye
Commissioner Brown	Yes
Commissioner Lerner	Yes
President Lim	Yes

Commissioner Lerner was elected to the position of Vice President on a vote of 4-0.

7. COMMISSIONERS AND STAFFS QUESTIONS AND COMMENTS:

Commissioner Baltimore referenced the rationale for rotating appointments to the position of Presidency because there are two distinct groups - this was decided in the beginning of the commission. There is the industry group and the disabled community and the idea was to rotate it so no particular group would ever dominate.

Commissioner Baltimore asked if there are any appeals pending.

Access Appeals Commission Hearing: October 12, 2005

Mr. Torres-Gil indicated that there are none but that he expects to agendize a meeting for November, given staffing issues in DBI associated the New Orleans disaster. He expects to agendize a presentation on the Path of Travel Certification AB-056 in November. He identified the two available dates in November.

Commissioner Baltimore asked if there was any reason the next meeting could not be on November 9th.

Commissioner Brown asked about the status of Slides at 430 Mason St.

Mr. Torres-Gil indicated that the letter from the Fire Department had been received and that the letter does reject the installation of any obstructions in the exit/entries. He had also seen the letter from the architect identifying the types of the proposed obstructions.

Vice President Lerner asked if they could be given enough advance notice in case they wanted to discuss having a special meeting at a site.

Commissioner Baltimore said that in the past the Secretary would call the President and the President would decide whether to hold a special meeting. Sometimes it can be worked out to have a meeting room and have the ability to make a decision on site.

Ms Boyajian said that another option would be that if the commissioners get notice enough ahead of time they could call the Secretary individually. If there was a quorum that wanted to go then the Secretary would know right away to schedule it.

Vice President Lerner said that with enough notice the commissioners could also visit the site individually.

Commissioner Baltimore said in the past the President had the ability of call a site visit. One of the things she notices is that when there is a site visit it is to the applicants advantage. The power point presentation was a good idea but she could not make heads or tails out of it. In her opinion, it did not properly represent the property. The Secretary should emphasis that a site visit can be to their advantage and that they should wait, if there is a wait.

Mr. Torres-Gil said he would emphasis the need for a larger font on future power point presentations.

8. PUBLIC COMMENT:

There was no public comment.

9. ADJOURNMENT:

The meeting adjourned at 2:32 PM.

Rafael Torres-Gil
Senior Building Inspector
Department of Building Inspection
Secretary to the Access Appeals Commission